

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA

) CASE NO. 1:19 CR 109

Plaintiff,

) JUDGE BENITA Y. PEARSON

vs.

) MOTION TO CONTINUE TRIAL

RUSSELL DELANO MILEY-CRUZ

)

Defendant.

)

Now comes Defendant, Russell Delano Miley-Cruz, by and through undersigned counsel, and request this Honorable Court, for an order granting the motion for continuance that is set for September 23, 2019 at 9:00am.

As grounds, Counsel has a previously scheduled family vacation. Said motion is not meant for delay. The government does not object to said motion. Counsel has discussed this matter with Mr. Cruz, who also has no objection. Mr. Cruz also understands that this Honorable Court must make the necessary findings in order for a continuance to be justified. Counsel submits that the ends of justice served by taking such an action outweigh the best interest of the public and the Defendant ends speedy trial.

Possible trial dates as agreed upon by Defense Counsel and the AUSA include November 3, 11th or 18th, 2019.

Respectfully submitted,
BETRAS, KOPP & HARSHMAN, LLC

/s/ David J. Betras

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed and served electronically this 15th day of August, 2019 upon attorneys who have completed ECF registration as required by the Court.

/s/ David J. Betras

DAVID J. BETRAS (0030575)